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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/759,424	01/12/2001	Manabu Sawasaki	1508.65123 2317		
24978 CDEED DIJE	7590 07/13/2007		EXAMINER		
	GREER, BURNS & CRAIN 300 S WACKER DR			NGUYEN, DUNG T	
	25TH FLOOR CHICAGO, IL 60606		ART UNIT	PAPER NUMBER	
CHICAGO, II			2871		
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			07/13/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 93 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of the may be a simple of them the particular of them the particular of them them to the major of them them to the particular of them them to the particular of t		Application No.	Applicant(s)				
Dung Nguyen	Office Action Commence	09/759,424	SAWASAKI ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Entendance of term ray be semilated under the provisors of 3 CPR 1.1360, in one cent, however, may a rely be timely liked in the communication of 3 CPR 1.1360, in one cent, however, may a rely be timely liked in the communication of 3 CPR 1.1360, in one cent, however, may a rely be timely liked in this communication. If the period for regive is predicted above, the maintainer standard will poply and will regive 13 (3) DAONTH from the railing date of this communication. Failure to report is predicted before the regive this patients are application to require the application to second ABANDONEC (54 U.S. C. § 133). Any reply reported by the Office later than there ments after the maining dates of this communication, several timely flex, may reduce any seating patient them displaced in the communication.  **Status**  1) □ Responsive to communication(s) filed on <u>05 April 2007</u> .  2a) □ This action is FINAL. 2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Queyle, 1935 C.D. 11, 453 O.G. 213.  **Disposition of Claims**  4) □ Claim(s) <u>1.8.23.32-41.54.55.57.59-61.63 and 65-69</u> is/are pending in the application.  4) □ Claim(s) <u>1.8.23.32-41.57.59-61.63 and 65-69</u> is/are allowed.  5) □ Claim(s) <u>1.8.23.32-41.57.59-61.63 as 66-69</u> is/are allowed.  6) □ Claim(s) <u>1.8.23.32-41.57.59-61.63 as 66-69</u> is/are allowed.  7) □ Claim(s) <u>1.8.23.32-41.55.59.61.63 as 66-69</u> is/are allowed.  8) □ The specification is objected to by the Examiner.  9) □ The drawing(s) filed on	Office Action Summary	Examiner	Art Unit				
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Art Unit: 2871

# **DETAILED ACTION**

#### Continued Examination Under 37 CFR 1.114

- 1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/26/2007 has been entered.
- 2. Applicants' amendment dated 04/05/2007 has been received and entered. By the amendment, claims 1, 8, 23, 32-41, 54-55, 57, 59-61, 63 and 65-69 are remain pending in the application, wherein claims 54 and 55 stand withdrawn from consideration.

# Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 09/08/2006 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

# Claim Rejections - 35 USC § 102

- 4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 5. Claims 1 and 8 are rejected under 35 U.S.C 102(e) as being anticipated by Lien et al., US Patent No. 6,493,050.

Art Unit: 2871

The above claims are anticipated by Lien et al. figures 1A and 16-17 which disclose a liquid crystal display (LCD) device comprising:

- . a pair of substrates (102, 104);
- . a liquid crystal layer (101);
- . color filters (106);
- . a common electrode (122);
- covered directly adjacent terminal edges of the color filters (where the color filters 510 and 504 are met) as well as formed over a black matrix(the stacked color filters 112, 510, 504)(see figure 16);
  - . domain defining projections (pretilt control structure 114/134) as claimed.
  - gap holding spacers (dam 110/602) formed outside of a display region (see figure 2).

### Allowable Subject Matter

6. Claims 23, 32-41, 57, 59-60, 63 and 65-66 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: none of prior art disclose, singly or combined, an LCD device having a plurality of spacers interposed between two substrates, wherein the spacers are formed to satisfy all condition as set forth in claims 32-33. Furthermore, pixel regions include both first pixel regions, in which a final protection film is interposed between pixel electrodes and a transparent substrate, and second pixel regions, in which the final protection film is not interposed between the pixel electrodes and the transparent substrate as set forth in claims 23, 32-34, 38, 57, 59-60, 63 and 65-

Art Unit: 2871

66 as well as both the first and second spacers are formed over a black matrix formed on the substrate as set forth in claims 61 and 67-69).

### Response to Arguments

7. Applicants' arguments filed 12/26/2006 have been fully considered but they are not persuasive.

Noted that although the amendment and response dated 12/26/2006 has not entered as stated in the Office action 03/22/2007; the Examiner's response in this paper, to expedite the prosecution, is based on the arguments dated 12/26/2006 since there is no argument in paper dated 04/05/2007.

Applicants' arguments are as follow:

- a. there is no reason was given in response to Applicants' response F.
- b. the Examiner has not given any consideration to specific claim language that was added in amendment B (filed 07/02/2004).
  - c. in expedite, claims 1 and 8 have been amended.

The Examiner's responses are as follow:

a. The Examiner respectfully disagrees with Applicant's viewpoint. The advisory action dated 11/21/2006 clearly stated that "the device of claims 1 and 8 do not define over the art of record" (i.e., the art used to reject claims 1 and 8 in the final office action dated 08/23/2006). In particular, Applicants contend that figure 1A does not show any adjacent edges of color filters at all and Applicants appear to believe that the Examiner misinterpreted when he said that "Lien does not show any adjacent edges of color filter at all". It should be noted that figures 12-16 and

Art Unit: 2871

17 are a cross-sectional view of the LCD device of figure 1A showing method steps for forming color stacks (see col. 8, lines 6 and 30). In other words, although figure 1A is not clearly shown the adjacent edges of color filter, such feature can be seen from figure 17 (or 16) as well. Therefore, when Applicants state that "figure 1A of the Lien", it can be the Lien's device as well and the response to the Applicants is fully given in the final office action dated 08/23/2006.

- b. The Examiner, again, respectfully disagrees with Applicant's viewpoint. Applicants are directed to figure(s) 16 (or 17) which clearly shown the limitation of "directly adjacent terminal edges of color filters are covered with the cell gap adjusting spacers", and also stated above.
- c. Although claims 1 and 8 are now amended, such amendment is not sufficient to overcome its rejection as stated above.

#### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2871

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN 07/07/07 /Dung Nguyen/ Dung Nguyen Primary Examiner Art Unit 2871